

CORRECTED

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 21-0803V

UNPUBLISHED

JULIE R. BEDOGNE, *as personal
representative of the estate of*
VINCENT R. BEDOGNE,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: June 30, 2022

Special Processing Unit (SPU);
Ruling on Entitlement; Concession;
Table Injury; Influenza (Flu); Guillain-
Barré syndrome ("GBS").

Scott William Rooney, Nemes, Rooney, P.C., Farmington Hills, MI, for Petitioner.

Steven Santayana, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

Julie R. Bedogne ("Petitioner"), as personal representative of the estate of Vincent R. Bedogne ("Mr. Bedogne") has pursued this petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the "Vaccine Act"). Petition filed January 26, 2021 (ECF No. 1) (filed by Mr. Bedogne); Notice (EF No. 11) (reflecting Mr. Bedogne's subsequent death); Order (ECF No. 20) (amending the case caption); Amended Petition (ECF No. 39).

Petitioner alleged that as a result of an influenza ("flu") vaccine administered to Mr. Bedogne on September 26, 2019, Mr. Bedogne suffered from Guillain-Barré syndrome ("GBS"). Amended Petition at 2-4. Petitioner further alleged that Mr. Bedogne continued

¹ Because this unpublished Ruling contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims' website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the Ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

to suffer from GBS symptoms at the time of his passing on February 1, 2021, and that said symptoms were a factor in his cause of death. *Id.* at 3. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On June 30, 2022, Respondent filed a combined Rule 4(c) Report and Proffer in which he **concedes** that Petitioner's claim meets the Table criteria for GBS. Respondent's Rule 4(c) Report and Proffer at 8 (citing 42 C.F.R. § 100.3(a), (c)). Respondent further agrees that Petitioner has satisfied the Act's other statutory and jurisdictional requirements. *Id.*

In view of Respondent's position and the evidence of record, I find that Petitioner is entitled to compensation.

IT IS SO ORDERED.

s/Brian H. Corcoran
Brian H. Corcoran
Chief Special Master